

REMARKS

The present communication is responsive to the Office Action mailed December 7, 2010, rejecting all of the claims pending in the application ("Office Action"). Claims 17 and 18 are amended. Claims 17-18 are pending in this application. In light of the amendment and remarks below, favorable reconsideration and allowance are earnestly solicited. A Request for Continued Examination is submitted herewith.

Under 37 C.F.R. § 1.116 ("Rule 116"), an amendment after a final action, but prior to the date of filing a brief, may be admitted when the amendment is to present the claims in better form or upon a showing of good and sufficient reasons. The present amendment is made to put the rejected claims in better form and to claim features not previously recited. No new matter is added in the amendment. Therefore, it is respectfully submitted that the present amendment be entered under 37 C.F.R. § 1.116 ("Rule 116").

In the Office Action, claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,532,589 to Proehl ("Proehl") in view of U.S. Patent 6,369,840 to Barnett ("Barnett"), U.S. Patent 6,826,775 to Howe ("Howe"), and U.S. Patent 6,481,010 to Nishikawa ("Nishikawa").

Amended independent claim 17 now recites in part:

means for determining whether a date from said calendar has been selected, for determining when a date has been selected, whether a request for the EPG information has been made for the selected date, for determining, when the request for the EPG information has not been made, whether an input of user schedule information has been made for the

selected date within a predetermined period of time, and for performing timeout if no request for the EPG information and no input of user schedule information has been made for the selected date during the predetermined period of time;

means, responsive to a determination from the determining means that the date has been selected, for accepting an input of user schedule information in which a user is able to edit a personal event or events of the selected day, and responsive to determinations from the determining means that the date has been selected and that the request for the EPG information has been made for causing said EPG information which comprises at least program guide information of the selected date to be displayed and for accepting a viewing reservation schedule for a desired electronic broadcast program or programs; and

means for controlling display of the schedule information of the user's personal event or events and schedule information of the electronic broadcast program or programs to be viewed on said calendar,

the personal event or events comprising events unrelated to the request for the EPG information, and

the text of the schedule information of the electronic broadcast program or programs being displayed on the calendar, the text comprises at least the start time and the broadcast channel of the broadcast program or programs.

(Emphasis added).

The other independent claim 18 is amended in a similar way. Support for the above-identified features can be found, for example, in FIGS. 5-7 and paragraphs [0091]-[0092] and [0101]-[0121] of the specification.

In accordance with present claim 17, a schedule apparatus comprises means for determining whether a date from said calendar has been selected, and for determining, when a date has been selected whether a request for the EPG information has been made for the selected date, and when the request for the EPG information has not been made, whether an input of user

schedule information has been made for the selected date within a predetermined period of time, and for performing timeout if no request for the EPG information and no input of user schedule information has been made for the selected date during the predetermined period of time. Furthermore, the schedule apparatus displays the text of the schedule information of the electronic program or programs on the calendar, the text comprises at least the start time and the broadcast channel of the broadcast program or programs.

Applicant respectfully submits that neither Proehl nor Barnett as applied teaches a means for determining, when the request for the EPG information has not been made, whether an input of user schedule information has been made for the selected date within a predetermined period of time, as recited in the present claims 17 and 18.

The rejection admits that Proehl and Barnett fail to disclose "[p]erforming timeout if no action has been made within a predetermined period of time" and uses Howe to cure this deficiency, stating that "Howe discloses performing timeout if no action has been made within a predetermined period of time (270-fig.2b; col. 13, lines 15-19)", and "[i]t would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Proehl and Barnett's invention to include the abovementioned limitation, as taught by Howe, for the advantage of getting rid of on-screen objects on the assumption that a user has no interest in it so as to not hold the system hostage waiting for an input." (Office Action, page 5).

Applicant respectfully submits that neither Howe alone nor the combination of Howe, Proehl and Barnett as applied

teaches performing timeout if no request for the EPG information and no input of user schedule information has been made for the selected date during the predetermined period of time. The relied-on sections and drawing of Howe teach displaying a button on the screen when the TV 80 has returned to the original program channel, and erasing the button from the screen when STB100 has not received the remove button message when a timeout period has elapsed.

As such, Howe as applied does not teach determining if request for the EPG information and no input of user schedule information has been made for the selected date during the predetermined period of time, and performing timeout if neither the request for the EPG nor the input of user schedule is received. Furthermore, since neither Prohel nor Barnett teaches determining, when the request for the EPG information has not been made, whether an input of user schedule information has been made for the selected date within a predetermined period of time, the combination of Howe, Prohel and Barnett does not teach performing timeout if no request for the EPG information and no input of user schedule information has been made for the selected date during the predetermined period of time.

The rejection also admits that Proehl, Barnett, and Howe fail to disclose "[t]he text of the schedule information of the electronic broadcast program or programs being displayed on the calendar" and states that in Fig. 11, Nishikawa teaches that "the text (program title & start time) of the schedule information of the electronic broadcast program or programs is displayed on the calendar (col. 13, lines 19-45)." (Office Action, page 6).

Applicant respectfully submits that the relied-on

sections and drawing of Nishikawa do not teach displaying the text of the schedule information of the electronic program or programs on the calendar, where the text comprises at least the start time and the broadcast channel of the broadcast program or programs, as recited in the present claims 17 and 18.

For at least the reasons described above, it is respectfully requested that the independent claims 17 and 18 are distinguishable over Proehl, Barnett, Howe and Nishikawa, and therefore the 103 rejections on these claims should be withdrawn.

As it is believed that all of the rejections set forth in the Office Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 4, 2011

Respectfully submitted,
Electronic signature: /Jessica
D. Li/
Jessica D. Li
Registration No.: 65,042
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

LD-446